IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

Con.Case(C).No. 1110 of 2007(S)

AGAINST THE JUDGEMENT IN WPC.10435/2006 Dated 18/01/2007

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PETITIONER/PETITIONER IN WP(C):

K. JAHUBAR, S/O. KABUTHU KANNU,
AGED 53 YEARS, ISHA MANZIL, PLANKALAVILA,
ARALUMMOODU P.O., THIRUVANANTHAPURAM-695 123.

BY ADV. SRI.K.P.JUSTINE

RESPONDENT: RESPONDENT NO.1 IN WP(C):

SRI.T.P. SENKUMAR IPS.,
S/O.PURUSHOTHAMAN, AGED 46 YEARS,MANAGING DIRECTOR
KSRTC, TRANSPORT BHAVAN, FORT P.O.,
THIRUVANANTHAPURAM-23.

BY ADV.MR.JOHNSON P.JOSHN, S.C., K.S.R.T.C.

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 06/08/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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Cont.Case (C) No.1110 of 2007

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Dated: 6th August, 2007

JUDGMENT

Mr.Johnson P.John, Standing Counsel for the K.S.R.T.C. has placed before me a copy of K.S.R.T.C. Proceedings No.D.Dis.033506/06/PL9 dated 2.8.2007 and submitted that a copy of this order is already served on the petitioner. This order, according to the learned Standing Counsel complies with the directions in my judgment. Mr.K.P.Justine, learned counsel for the petitioner submits that as a necessary consequence of this order the petitioner should have been promoted as Superintendent, which is not done. This action of the Corporation amounts to contempt.

2. I am of the view that this court will not be justified in initiating action against the respondent under the contempt jurisdiction since Order No.D.Dis./033506/06/PL9 dated 2.8.2007 has been passed. If the petitioner has a grievance that any order necessarily consequential to the order dated 2.8.2007 is not passed, the petitioner's remedy does not lie under the present jurisdiction. Giving liberty to the petitioner to seek redressal of his surviving grievance in appropriate other proceedings, the Contempt of Court Case will stand closed.

srd **PIUS C.KURIAKOSE, JUDGE**